

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ROBERT J. SCOGGINS,)	
)	
Plaintiff,)	
)	
v.)	No. 01 C 5586
)	
CAROL VANCE, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

Robert J. Scoggins ("Scoggins") has just filed a document that he labels "Motion for Leave To Declare Petitioner Indigent." While this Court is prepared to accept Scoggins' assertion of poverty, his motion reflects a misunderstanding of what Congress has done in amending 28 U.S.C. §1915 in an obvious effort to discourage persons in custody from filing lawsuits. When a prisoner has demonstrated an inability to pay the filing fee, Congress has changed the old rule under which such payment was excused entirely to a new system in which all that is excused is the full prepayment of the fee. Under the new regime the prisoner becomes and remains liable for the entire filing fee, payable however in future installments.

That being the case, any finding of indigency on Scoggins' part would provide him with no relief. This Court's July 25, 2001 memorandum opinion and order that dismissed Scoggins' lawsuit but left him responsible for payment of what was then a

\$150 filing fee¹ remains in force. Accordingly Scoggins' current motion is denied as moot.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive, flowing style.

Milton I. Shadur
Senior United States District Judge

Date: April 30, 2007

¹ That amount has increased to \$350 for any lawsuit that is filed these days.